

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO THE STATE)	CASE NO.
UNIVERSAL SERVICE FUND)	2016-00059

MOTION TO WITHDRAW

T-Mobile Central, LLC, Power Tel/Memphis, Inc., and MetroPCS Michigan, LLC (collectively “T-Mobile”) move to withdraw from the above-referenced case. In support of its motion, T-Mobile states:

1. On February 1, 2016, the Kentucky Public Service Commission (“Commission”) issued an order initiating a case on its own motion to investigate “the current and future funding, distribution, and administration of the Kentucky Universal Service Fund (“KUSF”).”¹

2. Although the Commission made each local exchange carrier, commercial mobile radio service (“CMRS”) provider, and eligible telecommunications carrier (“ETC”) a party to the proceeding, it also afforded parties that are not Eligible Telecommunications Carriers (“ETC”) in Kentucky receiving both (a) federal universal service fund (“USF”), and (b) KUSF support the opportunity to request permission to withdraw.²

3. The Commission has designated T-Mobile (excluding MetroPCS) as an ETC in Kentucky. Since being designated T-Mobile has received federal high cost fund support in Kentucky. In addition, T-Mobile was designated as an ETC for the federal Mobility Fund (“MF”) and has received MF federal funds to deploy 3G and above wireless infrastructure in designated areas of Kentucky. However, T-Mobile has never received support from the KUSF. Therefore, T-Mobile is eligible to withdraw from the case.

¹ *An Inquiry into the State Universal Service Fund*, Case No. 2016-00059, Kentucky Public Service Commission, Order at p. 1 (Feb. 1, 2016).

² Order at p. 6.

4. Withdrawal is appropriate for T-Mobile because the funding and administration of the KUSF does not materially impact its Kentucky operations. T-Mobile passes the state USF surcharge via monthly bills to all post-paid customers. T-Mobile is interested in maintaining as small a KUSF surcharge as possible to minimize the impact of the KUSF on its customers. The proposed option to increase the KUSF surcharge to \$0.14/month to address the immediate shortfall does not result in an excessive surcharge as long as the funding mechanism remains uniform among providers of telecommunications services.

5. As prepaid brand of T-Mobile, MetroPCS does not pass the KUSF surcharge thru to end users. However, the vast majority of T-Mobile's Kentucky customers are postpaid (who do receive pass-through charges). After reviewing the Order and considering the likely economic impact of this proceeding on T-Mobile's combined Kentucky operations, T-Mobile believes that fully participating in this proceeding is not required to protect the interests of its customers and ongoing operations.

For the above stated reasons, T-Mobile respectfully requests that the Commission grant it permission to withdraw from further participation in this proceeding.

Respectfully submitted



Douglas F. Brent
STOLL KEENON OGDEN PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202-2828
Telephone: (502) 333-6000

Counsel for T-Mobile

CERTIFICATE OF SERVICE AND ACKNOWLEDGMENT OF ELECTRONIC FILING PROCEDURES

In accordance with 807 KAR 5:001, Section 8, I certify that the February 26, 2016 electronic filing of this Motion is a true and accurate copy of the same document being filed in paper medium; that the electronic filing was transmitted to the Commission on February 26, 2016; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original paper medium of this Motion will be mailed to the Commission by first class United States mail, postage prepaid, on February 26, 2016.

I further certify that I am the authorized agent for the entity filing this Motion and possess the facilities to receive electronic transmissions.



Douglas F. Brent